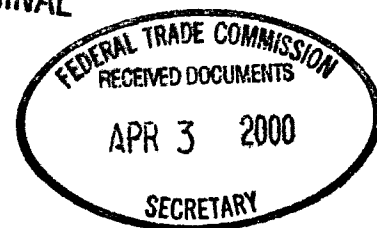




ORIGINAL



March 28, 2000

Secretary
Federal Trade Commission
Room H-159
600 Pennsylvania Avenue, NW
Washington, DC 20580

Dear Mr. Secretary:

I am responding to the NPRM with regard to consumer privacy rules, which would treat colleges and universities as financial institutions. I am opposed to this proposal for several reasons.

First, the Family Educational Rights and Privacy Act (FERPA) regulations already guide colleges and universities. This body of regulations requires the institution to develop a written policy listing the types and locations of educational records maintained by the school and stating the procedures for parents and students to review the records. In addition, FERPA also requires colleges and universities to notify parents and students of their rights with respect to educational records and document the student's file each time personally identifiable information is disclosed to persons other than the student.

As a result, the student has the right to inspect and review education records, including academic and financial, pertaining to the student. The student may also request an amendment to the record and if needed can request a hearing to challenge the contents on the grounds that the records are inaccurate, misleading or violate their rights.

Second, the U.S. Department of Education requires that college and university Financial Aid offices perform entrance and exit counseling with students who have borrowed educational loans. This counseling is done at the beginning of the college career and at the end and is designed to ensure that the student knows and understands the terms of their loans and the rights afforded them.

Third, to implement these proposed regulations will create an onerous and burdensome task for colleges and universities. It will only serve to duplicate much of the regulations and consumer safeguards already in place.

I ask that you reconsider your position in implementing this proposal as it pertains to colleges and universities.

Thank you for hearing opposing views.

Sincerely,

Douglas B. Cleary
Director of Financial Aid